

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LAURICE MCCURDY,

Plaintiff,

vs.

LEROY KIRKEGARD, *et al.*,

Defendants.

Case No. 2:08-cv-01742-PMP-PAL

**ORDER**

(Req for Ord for Ongoing Assistance - Dtk. #73)

Before the court is Plaintiff's Request for an Order Granting Ongoing Assistance of "Jailhouse Lawyer" (Dkt. #73). Plaintiff states he "lacks the mental capability and education requisites needed to litigate this lawsuit unaided." He therefore requests that the court enter an order authorizing a jailhouse lawyer, inmate Ronald Earl Geiger, to prepare, sign in his stead, and submit filings on his behalf in this lawsuit. He is concerned because Mr Geiger could be transferred at any time pursuant to institutional policy. In the alternative, he seeks reconsideration of the court's order denying his motion for appointment of counsel.

The court appreciates that almost every *pro se* Plaintiff would be better off with counsel. However, he does not have a right to appointment of counsel and the court cannot require a lawyer to accept an appointment. There are very few lawyers available for appointment to these types of cases, and appointment of counsel is only justified in extraordinary circumstances. Plaintiff has not established that extraordinary circumstances warrant the appointment of counsel. Additionally, a "jailhouse lawyer" is not authorized to practice law, and may not sign pleadings and papers brought on behalf of an inmate. Accordingly,

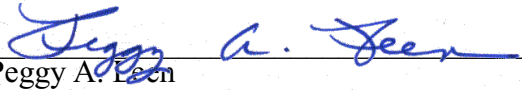
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1           **IT IS ORDERED** Plaintiff's Request for an Order Granting Ongoing Assistance of "Jailhouse  
2 Lawyer" is **DENIED**.

3           Dated this 19<sup>th</sup> day of August, 2010.

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5           Peggy A. Leen  
6           United States Magistrate Judge  
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